

MINUTE ENTRY

9:03 a.m.

UNITED STATES OF AMERICA -v- YE, WEI SHUN

PRESENT: HON. ALEX R. MUNSON, Chief Judge Presiding
SANAE N. SHMULL, Official Court Reporter
K. LYNN LEMIEUX, Courtroom Deputy
JAMIE BOWERS, Assistant U. S. Attorney
G. ANTHONY LONG, Court Appointed Counsel for Defendant
YE, WEI SHUN, Defendant

PROCEEDING: SENTENCING

Defendant was present with her court-appointed counsel, G. Anthony Long. Government by Patrick Smith, AUSA. Also present was U.S. Probation Officer Margarita Wonenberg.

Norman Xing was sworn as interpreter/translator.

Government had no objections. Counsel for defendant had objections and made those known to the Court. Court so noted.

Court adopted the amended presentence investigation report and instructed the Clerk to file the report, under seal, and that the amended report be made available if the judgment is appealed. The probation officer's recommendation shall also be placed under seal.

Government moved for a term of time-served plus two weeks to allow immigration time to process deportation proceedings. Defense moved for a sentence of time served and that she be released at this time. Defendant made a statement to the Court.

SENTENCE: Pursuant to the Sentencing Reform Act of 1984, it is the judgment of the Court that the defendant YE, WEI SHUN is hereby sentenced to 277 days imprisonment for Count IV, 277 days imprisonment for Count VII, 277 days for imprisonment for Count X (all terms to be served concurrently). Upon release from imprisonment, the defendant shall be placed on supervised release for a term of one year for each count (to be served concurrently) with the following conditions:

1. The defendant shall not commit another federal, state or local crime;
2. The defendant shall not unlawfully possess a controlled substance and shall refrain from any unlawful use of a controlled substance. She shall submit to one drug test within 15 days after sentencing and at least two periodic drug tests thereafter for use of a controlled substance. This condition is suspended based on the Court's determination that the defendant poses a low risk of future substance abuse;
3. The defendant shall comply with the standard conditions of supervised release as set forth by the U.S. Sentencing Commission; and
4. The defendant shall perform 200 hours of community service under the direction of the U.S. Probation Office.

Pursuant to Section 5E1.2(f) of the guidelines, all fines are waived since it

has been determined that the defendant does not have the ability to pay.

It is further ordered that the defendant pay to the United States a special assessment fee of \$30 to be paid immediately after sentencing.

No objection to the sentence by the attorneys. The defendant was advised of her right to an appeal and her right to an attorney for appeal.

Defendant was remanded to the U.S. Marshal for the processing of paperwork and then ordered released after she paid her \$30.00 assessment fee.

Court ordered that the defendant's passport be released to her by the Clerk's Office.

Adj. 9:45 a.m.

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Applies to: DFT Ye, Wei Shun [TTP EOD 11/16/2004]